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9 Attorneys for Defendant  
APPLE INC.

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN JOSE DIVISION

15 DOMINIQUE CAVALIER, KILEY  
16 KRZYZEK, KATHERINE WHEELER,  
MARLO RUSSELL, TERI GLAZEBROOK,  
17 and HEIDI FENTON, individually and on  
behalf of all others similarly situated,

18 Plaintiffs,

19 v.

20 APPLE INC.,

21 Defendant.

Case No. 5:25-cv-713-PCP

**STIPULATION AND ~~PROPOSED~~  
ORDER EXTENDING DEFENDANT  
APPLE INC.'S TIME TO RESPOND  
TO FIRST AMENDED COMPLAINT  
AND SETTING BRIEFING  
SCHEDULE**

Dept: Ctrm 8, 4th Floor  
Judge: Hon. P. Casey Pitts

1st Am. Compl. Filed: May 5, 2025

1 Pursuant to Civil Local Rule 6-2, Plaintiffs Dominique Cavalier, Kiley Krzyzek,  
2 Katherine Wheeler, Marlo Russell, Teri Glazebrook, and Heidi Fenton (“Plaintiffs”) and  
3 Defendant Apple Inc. (“Apple”), by and through their undersigned counsel, stipulate as follows:

4 WHEREAS, Plaintiffs filed their First Amended Complaint on May 5, 2025 (ECF No.  
5 29);

6 WHEREAS, under Federal Rule of Civil Procedure 15, Apple’s deadline to respond to the  
7 First Amended Complaint is May 19, 2025;

8 WHEREAS, the parties have agreed that the deadline for Apple to respond to the First  
9 Amended Complaint shall be extended by forty-two days, until June 16, 2025;

10 WHEREAS, that extension will allow Apple time to analyze the new allegations, new  
11 causes of action, four new named plaintiffs, and four new proposed subclasses;

12 WHEREAS, in the event that Apple moves to dismiss the First Amended Complaint, the  
13 parties have agreed that Plaintiffs’ deadline to file their opposition shall be extended to July 28,  
14 2025, and Apple’s deadline to file its reply shall be extended to August 18, 2025;

15 WHEREAS, the extension of time for Apple to respond to the First Amended Complaint  
16 and the responsive pleading briefing schedule will not alter the date of any event or deadline fixed  
17 by the Court;

18 WHEREAS, the parties have met and conferred regarding the scheduling of a hearing date  
19 in the event Apple files a motion to dismiss the First Amended Complaint.

20 THEREFORE, IT IS HEREBY AGREED AND STIPULATED THAT:

- 21 1. Apple’s deadline to respond to Plaintiffs’ First Amended Complaint shall be June 16,  
22 2025;
- 23 2. Plaintiffs’ deadline to file an opposition to Apple’s responsive pleading shall be  
24 July 28, 2025;
- 25 3. Apple’s deadline to file its reply shall be August 18, 2025.
- 26 4. In the event that Apple files a motion to dismiss the First Amended Complaint, Apple  
27 shall notice the hearing for the said motion for October 9, 2025 at 10:00 a.m., subject  
28 to the Court’s availability and discretion to reschedule at its convenience.

1  
2 Dated: May 16, 2025

MORRISON & FOERSTER LLP

3 By: /s/ William F. Tarantino  
4 WILLIAM F. TARANTINO  
5 Attorneys for Defendant  
APPLE INC.

6  
7 Dated: May 16, 2025

SHUB JOHNS & HOLBROOK LLP

8 By: /s/ Benjamin F. Johns  
9 BENJAMIN F. JOHNS (*admitted PHV*)  
10 Attorneys for Plaintiffs

11 **ECF ATTESTATION**

12 I, William F. Tarantino, am the ECF User whose ID and password are being used to file this  
13 document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Benjamin F. Johns  
14 has concurred in this filing.

15  
16 Dated: May 16, 2025

MORRISON & FOERSTER LLP

17  
18 By: /s/ William F. Tarantino  
19 WILLIAM F. TARANTINO  
20 Attorneys for Defendant  
APPLE INC.

21  
22 **~~PROPOSED~~ ORDER**

23 PURSUANT TO STIPULATION, IT IS SO ORDERED.

24  
25 Dated: May 19, 2025

  
26 HON. P. CASEY PITTS  
27 UNITED STATES DISTRICT JUDGE  
28